

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Koubun Sakagami

Application No.: 10/700,524

Confirmation No.: 5931

Filed: November 5, 2003

Art Unit: 2627

For: INFORMATION
RECORDING/REPRODUCING
APPARATUS AND INFORMATION
RECORDING MEDIUM

Examiner: T. A. Goma

REQUEST FOR RECONSIDERATION AFTER FINAL OFFICE ACTION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The application has been reviewed in light of the rejection dated March 19, 2008. Claims 1-15 are pending in the application. Applicant reserves the right to pursue the original claims and other claims in this and other applications.

Claims 14-15 stand rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. The Office Action alleges that the "test data" and "multi-level data" are "used by something other than the medium." However, Applicant respectfully submits that the claims include "test data used in reproducing the multi-level data" and "the test